

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CHRIS NEWMAN	:	X	
110 Orchard Street	:		CIVIL ACTION
Mt. Vernon, New York 10552	:		
<i>Plaintiff</i>	:		
- vs-	:		Index No. 07 CIV. 5622 (J. Kram)
	:		
METRO-NORTH COMMUTER	:		
RAILROAD	:		
347 Madison Avenue	:		
New York, NY 10017	:		
	:		
AND	:		<b><u>AFFIRMATION FOR</u></b>
	:		<b><u>JUDGMENT BY DEFAULT</u></b>
	:		
JONES LANG LaSALLE	:		
25 Vanderbilt Avenue	:		
Hall 1-A	:		
New York, New York 10017	:		
<i>Defendant</i>	:		

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X

**Michael H. Zhu, Esq.**, an attorney admitted to practice before the United States District Court for the Southern District of New York, affirms under the penalties of perjury, as follows:

1. I am a member of Michael H. Zhu, Esq. PC, local counsel to Barish Rosenthal attorneys of record for plaintiff in the above-entitled action and I am familiar with all the facts and circumstances in this action.

2. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil Rules for the Southern District of New York, in support of plaintiff's application for the entry of a default judgment against defendant, Jones Lang LaSalle ("defendant").

3. This is an action to recover damages against defendant for injuries sustained by plaintiff in an accident which occurred on July 17, 2005.

4. Jurisdiction of the subject matter of this action is based on a federal question

predicated on defendants' violation of the Federal Employers' Liability Act, 45 USCA § 51-60.

5. This action was commenced on June 14, 2007 by the filing of the Summons and Complaint (Document 1). A copy of the Summons and Complaint was served on the defendant on June 18, 2007 by personal service on Laura Blainstein by handing her a copy of same. Proof of service was filed. The defendant has not answered the Complaint and the time for the defendant to answer the Complaint has expired.

**WHEREFORE**, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendant.

Dated: New York, New York  
November 14, 2007

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/S  
MICHAEL ZHU, ESQUIRE